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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,635	01/18/2002	Ronald L. DeLegge	207133	8727

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EXAMINER

REFAI, RAMSEY

ART UNIT PAPER NUMBER

2152

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/051,635

Applicant(s)

DELEGGE, RONALD L.

Examiner

Ramsey Refai

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/16/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-20 are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Prabhaker (U.S. Patent No. 6,711,253).

4. As per claim 1, Prabhaker teaches a system for computing indices representing quality of service rendered via multiple communication channels, wherein the quality of service indices comprise multiple components, and wherein values assigned to ones of the multiple components are based upon quality of service data potentially received from multiple service data sources (**column 3, lines 5-21; multiple call centers**), the system comprising:

a quality of service data input interface that receives quality of service data (**column 2, lines 48-67; generating reports for a user**), the quality of service data comprising service transaction records (**column 2, lines 48-67; call center operations**), each service transaction record including a source ID identifying a service rendering entity (**column 3, lines 5-59; agents**), a channel ID identifying a communications channel associated with a rendered service transaction (**column 4, lines 45-55; skill**), and at least one factor value associated with the rendered service transaction (**column 7, line 45-column 8, line 25, column 5, line 35-column 6, line 35, Figure 6; shows that data has variable value**);

a raw service data store comprising one or more tables for storing the received quality of service data (abstract, column 1, lines 13-35; data stored in memory); and

an index aggregator for computing a service index based upon the quality of service data maintained by the raw service data store and an index definition, and wherein the index definition specifies a set of index components and a component weighting definition (column 3, line 35-column 4, line 40, column 7, line 45-column 8, line 25; analysis server 22 computes reports based on data obtained from call centers. Data is analyzed and computed based on stored values).

5. As per claim 2, Prabhaker teaches a subscriber interface enabling users to specify a service transaction index to be reported by the index aggregator (column 3, lines 60-65).

6. As per claim 3, Prabhaker teaches the subscriber interface includes a customization component enabling a user to specify a customized index including a set of component data definitions differing from a pre-programmed index (column 3, line 35-67, column 6, line 26-35).

7. As per claim 4, Prabhaker teaches the specified set of component data definitions includes a specified sector filter (column 6, line 36-column 7, line 21; user can view specific data by filtering for a specific criteria/skill).

8. As per claim 5, Prabhaker teaches the specified set of component data definitions includes a specified channel filter (column 6, line 36-column 7, line 21; user can view specific data by filtering for a specific criteria/skill)..

9. As per claim 6, Prabhaker teaches the specified set of component data definitions includes a specified factor filter (column 6, line 36-column 7, line 21; user can view specific data by filtering for a specific criteria/skill)..
10. As per claim 7, Prabhaker teaches the specified set of component data definitions includes a specified transaction frequency filter (column 6, line 36-column 7, line 21; user can view specific data by filtering for a specific criteria/skill)..
11. As per claim 8, Prabhaker teaches the subscriber interface includes a customization component enabling a user to define a customized index including a component weighting definition differing from a pre-programmed index (column 3, line 35-67, column 6, line 26-35).
12. As per claim 9, Prabhaker teaches the component weighting definition includes applying differing weight to service transaction data associated with particular channels (column 3, line 35-67, column 6, line 26-35, column 7, line 44-column 8, line 25).
13. As per claim 10, Prabhaker teaches the component weighting definition includes applying weights to data in the service transaction records based upon specified factor value types (column 3, line 35-67, column 6, line 26-35, column 7, line 44-column 8, line 25).
14. As per claim 11, Prabhaker teaches the set of index components comprise both internal and external index components (column 4, line 10-55).

15. As per claim 12, Prabhaker teaches the at least one of the external index components is based upon summary quality of service data received from a data source (column 3, lines 5-59; quality of service data based on call centers).

16. As per claim 13, Prabhaker teaches quality of service data transaction records include individual service transactions (column 3, lines 35-67; individual agent/representative).

17. As per claim 14, Prabhaker teaches quality of service data transaction records include summary records representing aggregated data from multiple service transactions (Figure 6, column 3, lines 35-59, column 9, lines 5-16).

18. As per claim 15-20, these claims contain similar limitations as claims 1, 2, 3, 8, and 11, therefore are rejected under the same rationale.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Statham et al (U.S. Patent No. 6,868,152)
- b. Sanders et al (U.S. Patent No. 6,574,605)
- c. Judkins et al (U.S. Patent No/ 6,603,854)
- d. McDuff et al (U.S. Patent No. 6,490,650)
- e. McCormack (U.S. Patent No. 6,754,331).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramsey Refai  
Examiner  
Art Unit 2154

RR  
June 10, 2005

  
JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
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